

'073 Patent

Term	Applicable Claims	Court's Construction
Preamble "A [multiple] access communications system for use in a satellite communication network"	2, 3, 4	Preamble is limiting.
"first communication means for transmitting short bursty data"	2, 3, 4	35 U.S.C. § 112, ¶ 6 applies. Function: "transmitting short bursty data" Structure: "Random Access Transmitter 70 in Fig. 5, and equivalents thereof"
"second communication means for continuous transmission of data"	2, 3, 4	35 U.S.C. § 112, ¶ 6 applies. Function: "continuous transmission of data" Structure: "Channel Assignment Transmitter 110 in Fig. 6, and equivalents thereof"
"receiver means within said at least one hub adapted to receive data transmitted by said plurality of terminals utilizing either said first communication means or said second communication means"	2, 3, 4	35 U.S.C. § 112, ¶ 6 applies. Function: "receive data transmitted by said plurality of terminals utilizing either said first communication means or said second communication means" Structure: "hub receiver 240 depicted in Fig. 10, and equivalents thereof"
"transmitter means within each user terminal for receiving data to be transmitted from said user terminal to said hub"	2, 3, 4	35 U.S.C. § 112, ¶ 6 applies. Function: "receiving data to be transmitted from said user terminal to said hub" Structure: "modem 160 and equivalents thereof"

Term	Applicable Claims	Court's Construction
<p>“switching means coupled to said transmitter means for switching transmission between said first communication means and said second communication means in accordance with predefined criteria”</p>	<p>2, 3, 4</p>	<p>35 U.S.C. § 112, ¶ 6 applies.</p> <p>Function: “switching transmission between said first communication means and said second communication means in accordance with predefined criteria”</p> <p>Structure: “modem 160 or PC 150 including driver layer 158 performing the algorithms disclosed in the '073 Patent at 10:30-11:40 or Figure 8, and equivalents thereof”</p>
<p>“means for switching from said first communication means to said second communication means when the length of a message received by said transmitter means exceeds a predetermined threshold”</p>	<p>2</p>	<p>35 U.S.C. § 112, ¶ 6 applies.</p> <p>Function: “switching from said first communication means to said second communication means when the length of a message received by said transmitter means exceeds a predetermined threshold”</p> <p>Structure: “modem 160 or PC 150 including driver layer 158 performing the algorithm disclosed in the '073 Patent at 10:63-67 and 17:37-45, and equivalents thereof”</p>
<p>“means for switching transmission from said first communication means when a continuation flag in a message received by said transmitter means is turned on”</p>	<p>3</p>	<p>35 U.S.C. § 112, ¶ 6 applies.</p> <p>Function: “switching transmission from said first communication means when a continuation flag in a message received by said transmitter means is turned on”</p> <p>Structure: “modem 160 or PC 150 including driver layer 158 performing the algorithm disclosed in the '073 Patent at 11:1-8, and equivalents thereof”</p>

Term	Applicable Claims	Court's Construction
“means for switching transmission from said first communication means to said second communication means when a user buffer containing a plurality of messages to be sent via said transmitter means fills beyond a predetermined level”	4	<p>35 U.S.C. § 112, ¶ 6 applies.</p> <p>Function: “switching transmission from said first communication means to said second communication means when a user buffer containing a plurality of messages to be sent via said transmitter means fills beyond a predetermined level”</p> <p>Structure: “modem 160 or PC 150 including driver layer 158 performing the algorithm disclosed in the '073 Patent at 11:9-11, and equivalents thereof”</p>
“continuation flag”	3	“a data field that indicates additional messages follow the current message”

'874 Patent

Term	Applicable Claims	Court's Construction
“[wherein said synchronous protocol allows] non-data carrying time slots”	1	“[wherein said synchronous protocol allows] time slots that do not contain data”
“first synchronous data communication protocol”	1	“a data communication protocol that relies on the temporal relationship between time slots”
“second asynchronous data communication protocol”	1	“a data communication protocol that does not rely on the temporal relationship between time slots”